Public (Political) **(1949) Department.**

No SERIES.

Passed.
21/10/49

G.O. NO. 3620

Dated 26/10/1949.

FOR MYSORE STATE

[Despatch Abstract.]

States. - Merged States - Sandur. - Private properties of Ruler subject to right of third parties - Sri. R. Raghavendra Rao informed - Papers recorded.

PHL(Pm)CMO 4470 25.7.49

GOVERNMENT OF INDIA

MINISTRY OF STATES

No.D.5491-P/49

From

The Deputy Secretary to the Government of India,
Ministry of States.

To

The Chief Secretary to the Government of Madras,
MADRAS.

Dated New Delhi, the 20 July, 1949.

Sandur State - Objection to delivery of possession of lands to Raja of Sandur.

Sir,

I am directed to enclose a petition from Mr. R. Ganesha Rao minor by father and guardian R. Raghavendra Rao, B.A., B.L Advocate Satyanarayanapet, Bellary (Madras), on the subject noted above, and to say that the settlement of the private properties of the Ruler of Sandur is subject to the right of third parties. The applicant should therefore be informed that if he so desires, his rights may be proved to the satisfaction of Courts.

Yours faithfully,

CHIEF SECRETARY 28 JUL 1949 GOVERNMENT OF MADRAS

Deputy Secretary to the Government of India.

Copy of letter No.D.5491-P/49 dated the 20th July 1949 fro the Government of India, Ministry of States, New Delhi to the Chief Secretary to theGovernment of Madras, Madras.

...

Sub: Sandur State - Objection to delivery of possession of lands to Raja of Sandur.

...

I am directed to enclose a petition* from Mr.R. Ganesha Rao minor by father and guardian R. Raghavendra Rao, B.A.,B.L. Advocate Satyanarayanapet, Bellary (Madras), on the subject noted above, and to say that the settlement of the private properties of the Ruler of Sandur is subject to the right of third parties. The applicant should therefore be informed that if he so desires, his rights may be proved to the satisfaction of Courts.

Yours faithfully,
(Sd.) .....
Deputy Secretary to the Govt.of India.

/True copy/

...

Copy of a petition dated 13-6-1949 from R.Ganesha Rao minor by father and guardian R.Raghavendra Rao,B.A.,B.L., Advocate, Satyanarayanapet, Bellary (Madras) addressed to the Secretary, States' Ministry, New Delhi.

...

Sub: Sandur State (Madras Presidency) objection to delivery of possession of lands to Raja of Sandur.

...

I beg to bring the following for your kind consideration and for speedy orders thereon.

2. I learn that the States' Ministry has agreed to deliver possession of the lands in Sandur State which belong to private owners as they have been unjustly claimed by the Ruler of Sandur as his own property. If possession of these properties are delivered to the Ruler instead of the rightful owner, I submit it will be tantamount to perpetuating a great injustice perpetrated by the Ruler of Sandur. I submit that there are hundreds of others, besides myself, whose properties have been taken possession of by the Ruler under the provisions and cloack of "Huzur Land Tenure Act of Sandur" the provisions of which barred the civil courts having any juriadiction, and further contained provisions which were opposed to all known notions and principles of Hindu Law. This Act referred to above was enacted with the sole purpose of enriching the Raja Sahab of Sandur at the cost of lawful owners of lands who enjoyed the properties for centuries.

3. My claim lands situate in Sandur and brief details of how my ancestors acquired the properties are set out here-under:

Sandur.

	Old. S.No.	New S.No.	Extent.
1.	85	286 B	2 acres 86 cents.
2.	16	375	1 " 90 "

The above lands were given as gifts to Inamdari Mant. Inams were granted by Srimant Siva Rao Hindu Rao Ghorpade in Saka 1741 (1819 A.D.).

p.t.o.

... 419 ... 144 B ... 5 acres 69 cents.

The land was given as a gift to Parvatha Bhat Sanna was granted by Shrimant Parsoji Rao Ghorpade in Saka 1643 (1721 A.D.)

4. Hulikunti (Sandur State)

35 35 6 acres 28 cents.

The land was given as a gift to Melugiri Bhat. Sannad was granted by Shrimant Murari Rao Hindu Rao Ghorpade in Saka 1714 (1792 A.D.)

5. Ettinahatti (Sandur State)

21 237 7 acres 52 cents.

This land was given as a gift to Parvatha Bhat. Sanna was granted by Rajappa Naik in Salivahana Saka 1630 (1780 A

In the year 1862 Shrimant Vittal Rao Hindu Rao Ghorpad granted new Sannads in lieu of old ones. The gifts were ma without any restrictions on succession or inheritance by th law-ful heirs.

4. The last male holder was one of S.V.Melugiri Rao, w retired as an Assistant Inspector of Schools. He executed registered will on 6-8-1949 whereby he bequeathed all his properties including the lands in Sandur state to his wife ultimately to devolve upon his grand daughter R.Syamala Bai

5. After the death of S.V. Melugiri Rao in 1920 his wi Sandur Vaidyam Kontemma was recognised as the Inam holder. S.V. Kontemma executed a registered will on 4-4-1944, affirm Her husband's will and bequeathed all her properties to her grand daughter R. Syamala Bai the mother of the present min applicant.

6. Kontemma died on 19-10-1944 and Syamala Bai the moth of the minor died on 29-11-1944.

7. An application was made to the then" Karma Sachiv" of Sandur State on 29-12-1944 to recognise the minor as Inam Holder, which was negatived on 6-1-1945.

8. An appeal was then presented to the "The Mantri in charge of Law and Finance Sandur State" on 21-10-1945 in person and all the original Sannads were filed along with th appeal. The appeal also was dismissed without hearing the appellent. The copy of the appeal is herewith enclosed for your perusal.

9. The applicant is the daughter's daughter's son of S.V.Melugiri Rao the last male holder who was recognised as the Inam holder. Melugiri Rao was the grand son of Melugiri Bhat (the donee referred to in para 3 supra) and Melugiri Bhat was the grandson of parvatha Bhat (the donee referred to in para 3 supra).

10. I earnestly entreat that the lands referred to in para 3 supra should not be delivered to the Ruler of Sandur under any circumstances but be delivered to me as the rightf owner. If I am denied the possession of the lands referred to in para 3 supra I shall be constrained to take such steps

I am advised to take against the [illegible] Sandur and the States Ministry.

11. I pray 1) that the States Ministry intervene at least now and see that the lands are delivered to me and 2) that pending final orders the Special Officer in charge of the Administration of the Sandur State be directed not to deliver possession of the lands set forth in para 9 supra to the Raja of Sandur or to his agents and 3) further be directed that original Sannads, which I filed before the Minister of Law and Finance on 21-10-1948 be kept safe and intact and I further pray that expeditious orders may be passed on my application.

Enclosures.
1. Copy of the Appeal preferred on 21-10-1948 to the then Minister of Law and Finance Sandur State.

I remain,
Sir,
Yours faithfully
(Sd.).....

/True copy/

Copy of petition from K. Ghorpha Rao minor by father and guardian L.Madhavendra Rao to the Mantri in charge of Law and Finance, Sandur State, Sandur.

Honoured Sir,

1. Your humble appellant begs to prefer this appeal as the guardian and father of (1) K. Ganesha Rao alias Krishna Rao and (2) K. Gunaraja Rao minors, against the order passed on 6-1-45 by the Karmachariy on my application dated 29-12-44, to recognise my two sons as the Inam holders of the lands set out in Schedule B.

2. My two sons K. Ganesha Rao and K.Gunaraja Rao are the daughter's daughter's sons of Sandur Vaidyan Lakshmana, wife of Sandur Vaidyan Malugiri Rao. The Genealogical tree in Schedule A will show the relationship.

3. For the just appreciation of my sons' claim to be recognised as the Inam Holders the appellant briefly submits the details as to how the lands in Schedule B were acquired by the ancestors of Sandur Vaidyan Malugiri Rao.

Ottinahatti. Old S.No.21 was given as Gift to Parvatha Bhat. Sannad was granted by Rajappa Naik in Nalivahana Saka 1630.

Krishnanagar. Old S.No.215 was given as a Gift to Parvatha Bhat. Sannad was granted by Shrimant Parasoji Rao Ghorpade in 1643. Saka.

Sandur. Old S.No.16 and 65 were given as gifts to Malugiri Bhat. Sannada were granted by Shrimant Siva Rao Hindu Rao Ghorpade in Saka 1741.

Kulihanti Old S. No.7) was given as a gift to Malugiri Bhat. Sannad was granted by Shrimant Murari Rao Hindu Rao Ghorpade in Saka 1714.

In the year 1862 Shrimant Vittal Rai Hindu Rao Ghorpade granted new Sannads in lieu of prior Sannads.

4. The facts set forth in para 3 were submitted in the form of statements by Sandur Vaidyam Melugiri Rao in the Inam enquiry held in 1905 by the Government of Sandur in I.H.R.T.R No.25/1905 and your appellants learns and believes that orders were passed thereon about November 1905 recognising Sandur Vaidyam Melugiri Rao as the owner of the properties set out i Schedule B with full rights to transfer by gift or otherwise. Your appellant prays that the records in I. E. A. R. T. R. No 25/1905 may be sent for perusal.

5. Late Mr. Sandur Vaidyam Melugiri Rao was retired as a Assistant Inspector of Schools executes a registered Will on 6-8-1949 whereby he bequathed all his properties including th lands in Sandur State to his wife and ultimately to devolve u his grand daughter, R. Samala Bai. Mr. Melugiri Rao who was cognisent by his full rights of ownership in the Sandur prope ties transfered the some to the legaties in the Will.

6. After the death of Mr. Sandur Vaidyam Melugiri Rao in 1920 his widow Sandur Vaidyam Konthemma was recognised as the Inam Holder. Hardly six months had passed after the death of Mr. Melugiri Rao when Konthemma lost her son-in-law Mr. Sripada Rao who was then the Tahsildar of Bellary.

7. Konthemma who was illiterate, did not know the value of the documents who in the grief she suffered, consigned all the documents relating to the Sandur lands with several other papers to the lumber room. Illiteracy coupled with the ignorance of the existance of the documents was responsible for Konthemma not submitting all the details, which have now been submitted, to the Government in 1937-38. Else, Your appellan is confident that her rights of enjoyment in the properties would not have been curtailed.

8. Sandur Vaidyam Konthemma executed a registered will o 4-4-1944 confirming her husband's will and bequathing all the properties to her grand-daughter R.Syamala Bai. Konthemma di on 19-10-44 and my wife R.Syamala Bai died on 23-11-44 leavin behind by two minor sons (1) R. Ganesh Rao alias Krishta Rao and (2) R. Gururaja Rao.

9. The lands set out in schedule B were gifted away to the ancestors of Mr. Sandur Vaidyam Melugiri Rao details wher to the appellant was submitted in para 3 supra. The lands we neither Devadayam, Dharmadayam or service Inams. The appell craves leave and submits that the above said gifts ought not be revoked or the rights of enjoyments curtailed which would ~~neigater~~ neither be just nor equitable or in accordance with The order of the Karama Sachiv against which this appeal is preferred is neither just nor equitable.

10. The appellant leaRns that the tenants have been asked depocit the rents due for 1944-45 in the Government Treasury and that the tenants have complied with the order. This amou is payable to the minors.

11. The appellant had prefered an appeal wrongly to the President of the Executive Council Sandur State which was returned Your appellant was submitted all the original documer along with this appeal. The delay if any in preferring this appeal may be excused. The appellant further prays that he ma be personally heard before disposing of this appeal.

12. The appellant therefore humbly prays:--

(1) that the order of the Karma Sachiv d/6-1-45 be set aside and that minors R.Ganesha Rao alias Krishta Rao and

and R. Gururaja Rao may be recognised as the sole heirs of the lands set out in Schedule B with full rights of ownership.

(2) That the rents deposited by the tenants for the year 1944-45 may be paid to me as the guardian of the said minors.

(3) That the appellant may be heard in person before the appeal is disposed of.

(Sd.) R.Ganesha Rao
minor by father & Guard
R.Raghavendra Rao.
appellant.

Address:-

R. Raghavendra Rao, B.A., B.L.
Advocate, Bellary.

Schedule A.

Geneological Tree

Parvata Bhat.

Venkanna Bhat.

Malugiri Bhat.

Venkanna Bhat.

Venkata Rao died in 1839 without issues.

S.V. Malugiri Rao = S.V.Konthem died 1944.

P. Sripada Rao = Venkamma died in 1921. died in 1934.

Padmavathamma (predeceased Malugiri Rao died without Issued).

R. Raghavendra Rao = R. Syamala Bai died November 1944.

1. Ganesha Rao alias Krishta Rao

R. Gururaja Rao

Schedule B.

Lands situate in Sandur State.

	Village	Old S.No.	S.No.	Extent.
1.	Sandur	85	286-B	2-86
2.	-do-	16	375	1-90
3.	Krishnanagar.	215	124-H	5-69.
4.	Ettinahatti	21	237	7-52.
5.	Hulikunti P.No.	35	35	6-28.

(Sd.) .....
Appellant.

/True copy/

Superintendent.

6/11/8

Issue
4/8/49

Public (Political) department

Memo. No. 4470-/49-P dated 4-8-49

Sub: States - Sandur - Objection to delivery of possession of lands to the Raja of Sandur -

Ref: from Sri R. Raghavendra Rao, B.A., B.L., father and guardian of the minor Sri Ganesha Rao, petition, d 13/6/49 to the Ministry of States,

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With reference to the petition cited, Sri R. Raghavendra Rao, B.A., B.L., father and guardian of the minor Sri R. Ganesha Rao is informed that if he desires, he may move his rights to the satisfaction of a Court of law.

4/8/49

24/7/49 Cert
30. Tech.

To: Sri R. Raghavendra Rao,
B.A., B.L.,
Advocate, Satyanarayanapet,
Bellary.

copy to the Collector of Bellary (with a copy of C.F.) ✓

Despd with enclosures 4/8

(P.P. 1-14 Cf.)

Issue 4/8/49

Despd with enclosures 4/8

Draft II

No. 4470/49-2 dated 4-8-49

To: The Secretary to the Govt. of India,
Ministry of States,
New Delhi. (with ※ encl.)

Sir,

Sub:- States - Sandur - Objection to delivery of possession of lands to the Raja of Sandur -

Ref: your letter No. D. 5491-P/49 d 20/7/49.

I am directed to enclose a copy of

※ Keep copy for file.

P.P. 3-14 Cf.

this Government's Memo no 4470/49-6, Pub (Poll),
d 4/8/49. to the petitioner on the subject. The original petition
received along with the ~~representation~~ letter cited is returned
herewith.

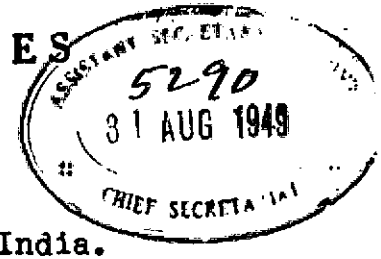
3/7/49 Cell 30.7.49.

4/5/49

GOVERNMENT OF INDIA

MINISTRY OF STATES

No.F.65-P/49.Vol.IV.



From

The Deputy Secretary
to the Government of India.

To

The Chief Secretary to the
Government of Madras, Madras.

Dated New Delhi, the 31st August, 1949.

Subject:- States-Sandur-Objection to delivery of possession of lands to Raja of Sandur.

Reference:- Your letter No.4470/49-2, dated the 4th August 1949.

Sir,

With reference to your letter quoted above, I am directed to state that a copy of the memorandum dated the 4th August 1949 addressed to the petitioner has not been received and may kindly be supplied.

Yours faithfully,

Deputy Secretary
to the Government of India.

Issue
15/9/49

Public (Political) Deptt
D.O. Ref. no 4470-P/49-3 dated 19-9-1949

From: The Deputy Secretary to the Govt. of India,
Ministry of States,
New Delhi (with enclo.)

To: Shri Nath Gupta
26/9/49

Sir,

Sub: States - Sandur - Objection to delivery of possession of lands to Raja of Sandur -
Cf: Ref: your letter No. F. 65-P/49-Vol. IV. d 29/8/49.

I am directed to enclose a copy of Memo no 4470/49-I, Public (Political), d 4/8/1949 as noted in your letter cited.

19/9/49

12/9/49 Cir 13/9/49
15 15

Public (Political) Department

Sub: States – Sandur – Merger – Objection to delivery of possession of lands to the Raja of Sandur

Ref: from the Govt. of India, (Ministry of States) No. P. 5-491-P/49 d 20/7/1949

p. 1 cf.

× p.p. 3-14 cf. Please see the representation from Sri R. Raghavendra Rao B.A., B.L., father and guardian of Mr. R. Ganesha Rao. The main grievance of the petitioner is that lands belonging to the minor have been wrongly claimed by the ruler declared as his private property of the Ruler by the Ministry of States. It will be seen from the list of the personal properties of the Ruler of Sandur at p. 5 cf. at (R) that a land (New S. No 375) measuring one acre and 90 cents alone has been included as item 9 at p. 15 of the list at (R).

The Govt. of India are of opinion that the settlement of the private properties of the Ruler of Sandur is subject to the right of third parties and they direct p. 1 cf. that the petitioner should be informed that he may seek redress in the Court of Law by establishing his rights.

Draft memo to the petitioner with the request to inform the petitioners accordingly is submitted pr appn draft letter to the Govt. of India returning the original petition as desired by them is also submitted.

4/8/49

4/8/49 30.7.49

p. 13 cf. (issued as memo No. 4470/49-1 d 4/8/49.)
p.p. 13-14 cf. (issued as lr. no 4470/49-2 d 4/8/49.)

(from the Govt. of of India, Ministry of States
p. 15 cf. No. F. 6-5-P/49. Vol IV d 29/8/1949)

A draft letter to the Govt. of India
× p. 13 cf. furnishing another copy of memo no 4470/49-1, Public (Political), d 4/8/1949 is submitted

19/9/49

19/9/49 Cur 15.9.49

(Termed as Ir./Reg. no 4470/49-3 d 19/5/49) .. p. 17 C/.

No further action is called for in this file. The Papers may be closed with the Memo on p. 13 C/. Recorded.

20/10/49 Cur 17-10-49

20/10/49

Ref. No. 3620/dated 26/4

States - Merged States

Under - Private properties of Rulers subject to rights of third parties - Sri K. Raghavendra Rao informed - Reply - Recorded.